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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,817	05/30/2004	Chien-Jui Wang	ACMP0198USA	3816

27765 7590 06/15/2005

NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)
 P.O. BOX 506
 MERRIFIELD, VA 22116

EXAMINER

BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,817

Applicant(s)

WANG ET AL.

Examiner

James R. Brittain

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 13-16 is/are rejected.
- 7) ☒ Claim(s) 6-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5 and 13-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Zook (US 1624458) in view of Kise (US 4290215).

Zook (figures 1-9) teaches a rotating pin clasp comprising: a base member 4 including sides 5, 6, top 7 and lip extending outwardly parallel to the top that form a cavity on the surface defined by the outwardly facing edges of the sides 5, 6, top 7 and facing lip whereby the pin can be rotated so as to be hidden from view (page 1, lines 82-87). There is a rod 8 fixed in the cavity and carries sleeves 14, 15 acting as collars that respectively carry the pin-retaining member 19 and the hinge 17 of the pin 18. The difference is that the base member is reversed with a collar secured thereto and a rod rotatable in the collar and having a recess to receive the collar.

However, Kise (figure 1) teaches that it is desirable to secure a collar 7 to the base member 1 so as to receive a rod 5 of the pin rotatably. It would have been obvious to modify the fastener of Zook so that there is a collar on the base member to rotatably receive the rod of the pin in view of Kise teaching that it is desirable to provide such structure as a simpler connection and as to the collar being received in a recess in the rod, applicant is given Official Notice that such a connection is a conventional means of providing a hinged structure through the use of a collar otherwise known in the art as a knuckle. As to claim 4, the use of wire coil for providing the

spring force is conventional pin structure as indicated by applicant in section [0019] and is an obvious modification of the fastener of Zook. In regard to claim 5, the choice of a semi-circular cavity is a matter of an equivalent structure to that of Zook, which performs the same function. As to claims 13 and 14, the loop formed in the ends of the rod 5 of Kise is inherently capable of performing as a knob if so desired and forms an opening for securing a cord if so desired since Zook suggests the use of a ring 10 for supporting a tether. As to claim 15, the location of the recess as indicated above to be obvious so as to be adjacent the knob would have been obvious in view of Kise showing the collar adjacent the looped portions of the rod 5.

Claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Zook (US 1624458) in view of Kise (US 4290215) as applied to claim 1 above, and further in view of Panzer (US 5245844).

Further modification of the fastener of Zook so that there would be two collars secured to the base member would have been obvious in view of Panzer (figure 1) teaching the use of spaced collars 26, 24 attached to the base 22 for receiving pin structure 34'.

Allowable Subject Matter

Claims 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


The patents of Liu (figures 1-3) and JP 2000-210108 (figures 1-4) teach pertinent fastener structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (571) 272-7065.

The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


James R. Brittain
Primary Examiner
Art Unit 3677

JRB